33. (New) A method for diagnosing immunological disease in accordance with an amount of human interleukin-18 contained in a test sample the amount of human interleukin-18 being measured by using a human antibody, comprising:, wherein the antibody comprises:

a polypeptide consisting of an amino-acid sequence represented by SEQ ID NO: 3; and

a polypeptide consisting of an amino-acid sequence represented by SEQ ID NO: 9.

34. (New) A method for diagnosing immunological disease in accordance with an amount of human interleukin-18 contained in a test sample the amount of human interleukin-18 being measured by using a human antibody, comprising:, wherein the antibody comprises:

ligation of a polypeptide consisting of an amino-acid sequence represented by SEQ ID NO: 3 and

polypeptide consisting of an amino-acid sequence represented by SEQ ID NO: 9.

35. (New) The method according to any one of claims 14, 33, or 34, wherein the antibody is a human antibody, being a human anti-human interleukin-18 antibody against human interleukin-18, the human antibody having (1) binding activity to human interleukin-18 and (2) inhibitory activity for inhibiting physiological activity of human interleukin-18.

36. (New) The isolated gene according to claim 7, wherein the gene encodes a human antibody, being a human anti-human interleukin-18 antibody against human interleukin-18, the human antibody having (1) binding activity to human interleukin-18 and (2) inhibitory activity for inhibiting physiological activity of human interleukin-18.

37 (New) An isolated human antibody, comprising:

human immunoglobulin VH-chain CDR1, CDR2, and CDR3 of a polypeptide consisting of amino-acid sequences represented by SEQ ID NOS: 4, 5, and 6, respectively; and

human immunoglobulin VL-chain CDR1, CDR2, and CDR3 of a peptide_consisting of amino-acid sequences represented by SEQ ID NOS: 10, 11, and 12, respectively,

one or more amino acids of at least one of the polypeptides being substituted, deleted, inserted, and/or added, the isolated human antibody having (1) specific binding activity to human interleukin-18 and (2) inhibitory activity for inhibiting physiological activity of human interleukin-18.

38. (New) An isolated human antibody, comprising:

a polypeptide consisting of an amino-acid sequence represented by SEQ ID NO:3;

a polypeptide consisting of an amino-acid sequence represented by SEQ ID NO:9; and

one or more amino acids of at least one of the polypeptides being substituted, deleted, inserted, and/or added, the isolated human antibody having (1) specific binding activity to human interleukin-18 and (2) inhibitory activity for inhibiting physiological activity of human interleukin-18.

39. (New) An isolated human antibody, comprising:

ligation of a polypeptide consisting of an amino-acid sequence represented by SEQ ID NO:3 and a polypeptide consisting of an amino-acid sequence represented by SEQ ID NO:9; and

one or more amino acids of at least one of the polypeptides being substituted, deleted, inserted, and/or added, the isolated human antibody having (1) specific binding activity to human interleukin-18 and (2) inhibitory activity for inhibiting physiological activity of human interleukin-18.

40. (New) The human interleukin-18 activity inhibitor according to Claim 29, which inhibits cytokines produced from helper T1 cells stimulated with an antigen and human interleukin-18.

41. (New) The human interleukin-18 activity inhibitor according to Claim 29, wherein the immunological disease is allergy or inflammation.

42. (New) A method for diagnosing immunological disease in accordance with an amount of human interleukin-18 contained in a test sample, the amount of human interleukin-18 being measured by using a human antibody, comprising:

a polypeptide consisting of an amino-acid sequence represented by SEQ ID NO: 3; and

a polypeptide consisting of an amino-acid sequence represented by SEQ ID NO: 9.

43. (New) A method for diagnosing immunological disease in accordance with an amount of human interleukin-18 contained in a test sample, the amount of human interleukin-18 being measured by using a human antibody, comprising: a ligation of a polypeptide consisting of an amino-acid sequence represented by SEQ ID NO: 3 and a polypeptide consisting of an amino-acid sequence represented by SEQ ID NO: 9.

REMARKS

Claims 1-16, 18, 20, 21, 25-27, 29 and 30 were pending in this application. Claims 1-3, 7-8, 12-13, 16, 27 and 29 have been amended, claims 5, 15, 18, 19, 20, 21 and 30 have been cancelled and claims 31-43 have been added by the amendments presented herein. Support for the amendments to the claims and for the new claims can be found in the specification and claims as filed. No New matter has been added.

Objections to Claims

The Examiner has objected to claim 16 for containing non-elected subject matter. The Examiner has also objected to claims 4, 7, 14 and 21 as being of improper independent format. Claims 18 and 29 have been objected to as being substantially duplicates of claims 15 and 16.

Applicants have amended or canceled the claims objected to and believe that the objections are rendered moot by the amendments and cancellations. Accordingly, Applicants respectfully request reconsideration and withdrawal of the foregoing objections.

Rejection of Claims Under 35 USC 101

The Examiner has rejected claims under 35 USC 101 as being directed to non-statutory subject matter. Applicants have amended these claims to indicate that the claimed antibodies are "isolated" thereby rendering this rejection moot. Applicants respectfully request reconsideration and withdrawal of this rejection.

Rejection of Claims Under 35 USC 112, Second Paragraph

The Examiner has rejected a number of claims under 35 USC 112, second paragraph as being indefinite. Regarding claim 27, we disagree that it is unclear haw a host can express a gene. Specifically, Applicants point the Examiner to the portion of the specification entitled "A Recombinant Expression Vector and the Like of the Present Invention" where a genetic engineering technique is taught that would result in a host expressing a gene of interest. Moreover, these techniques were routinely preformed by those of skill in the art at the time of filing the instant application.

Applicants have amended of canceled the remaining rejected claims. Applicants believe the rejections have been rendered moot by the amendments and cancellations. Accordingly, Applicants respectfully request reconsideration and withdrawal of these rejections.

Rejection of Claims Under 102(b)

The Examiner has rejected claim 5 and claims depending therefrom as being anticipated by Gayer et al. While in no way acquiescing to the validity of the Examiner's rejection and solely in the interest of expediting prosecution, Applicants have canceled claim 5 and amended the claims that depend therefrom to either depend on non-rejected claims or to include the limitations of non-rejected claims.

Accordingly, Applicants believe that this rejection has been rendered moot and respectfully request that the Examiner reconsider and withdraw this rejection.

Rejection of Claims Under 103(a)

The Examiner has rejected a number of claims under 103(a) as being obvious in view of Gayer et al. As indicated above, these claims have been amended or canceled rendering this rejection moot. Accordingly, Applicants respectfully request the reconsideration and withdrawal of this rejection.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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